

following vote: Yeas 27, Nays 4. Adopted by the House, with amendments, on February 11, 1993, by the following vote: Yeas 102, Nays 43.

Filed with the Secretary of State, February 17, 1993.

S.J.R. No. 9

SENATE JOINT RESOLUTION

proposing a constitutional amendment authorizing the legislature to provide for the issuance of bonds for the state financing of start-up costs for historically underutilized businesses.

Be it resolved by the Legislature of the State of Texas:

SECTION 1. Article XVI of the Texas Constitution is amended by adding Section 72 to read as follows:

Sec. 72. (a) The legislature by law may establish a Texas historically underutilized business capital growth and start-up fund. The money in the fund may be used without further appropriation and only for a program established by the legislature to aid in the start-up costs of a historically underutilized business, as defined by the legislature. The fund must contain a program account, an interest and sinking account, and other accounts authorized by the legislature. To carry out the program authorized by this subsection, the legislature may issue up to \$50 million of general obligation bonds to provide funding for the fund. The fund is to be composed of the proceeds of the bonds authorized by this subsection, loan guarantee fees and other amounts received from loan guarantees made under this subsection, and any other amount required to be deposited in the fund by the legislature.

(b) The legislature may require review and approval of the issuance of bonds under this section, of the use of the bond proceeds, or of the rules adopted by an agency to govern use of the bond proceeds. Notwithstanding any other provision of this constitution, any entity created or directed to conduct this review and approval may include members or appointees of members of the executive, legislative, and judicial departments of state government.

(c) Bonds authorized under this section constitute a general obligation of the state. While any of the bonds or interest on the bonds is outstanding and unpaid, there is appropriated out of the first money coming into the treasury in each fiscal year, not otherwise appropriated by this constitution, the amount sufficient to pay the principal of and interest on the bonds that mature or become due during the fiscal year, less any amount in any interest and sinking account at the end of the preceding fiscal year that is pledged to payment of the bonds or interest.

SECTION 2. This proposed amendment shall be submitted to the voters at an election to be held November 2, 1993. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment authorizing the legislature to provide for the issuance of \$50 million of general obligation bonds for the recovery and further development of the state's economy and for increasing job opportunities and other benefits for Texas residents through state financing of the start-up costs of historically underutilized businesses."

Adopted by the Senate on April 27, 1993: Yeas 30, Nays 0; the Senate concurred in House amendment on May 28, 1993: Yeas 31, Nays 0; adopted by the House, with amendment, on May 26, 1993: Yeas 101, Nays 27, one present not voting.

Filed with the Secretary of State June 2, 1993.

S.J.R. No. 13

SENATE JOINT RESOLUTION

proposing a constitutional amendment relating to the amount and expenditure of certain constitutionally dedicated funding for public institutions of higher education.

Be it resolved by the Legislature of the State of Texas:

SECTION 1. Article VII, Section 17(a), of the Texas Constitution is amended to read as follows:

(a) In the fiscal year beginning September 1, 1985, and each fiscal year thereafter, there is hereby appropriated out of the first money coming into the state treasury not otherwise appropriated by the constitution \$100 million to be used by eligible agencies and institutions of higher education for the purpose of acquiring land either with or without permanent improvements, constructing and equipping buildings or other permanent improvements, major repair or rehabilitation of buildings or other permanent improvements, ~~[and] acquisition of capital equipment, library books and library materials, and paying for acquiring, constructing, or equipping or for major repair or rehabilitation of buildings, facilities, other permanent improvements, or capital equipment used jointly for educational and general activities and for auxiliary enterprises to the extent of their use for educational and general activities.~~ For the five-year period that begins on September 1, 2000, and for each five-year period that begins after that period, the legislature, during a ~~[During the]~~ regular session ~~[of the legislature]~~ that is nearest, but preceding, a five-year period, ~~[the beginning of each fifth fiscal year dating from September 1, 1985, the legislature]~~ may by two-thirds vote of the membership of each house ~~increase~~ ~~[adjust]~~ the amount of the constitutional appropriation for the five-year period ~~[ensuing five years]~~ but may not adjust the appropriation in such a way as to impair any obligation created by the issuance of bonds or notes in accordance with this section.

SECTION 2. Article VII, Section 17(b), of the Texas Constitution is amended to read as follows:

(b) The funds appropriated under Subsection (a) of this section shall be for the use of the following eligible agencies and institutions of higher education (even though their names may be changed):

- (1) East Texas State University including East Texas State University at Texarkana;
- (2) Lamar University including Lamar University at Orange and Lamar University at Port Arthur;
- (3) Midwestern State University;
- (4) *University of North Texas* ~~[State University]~~;
- (5) *The University of Texas—Pan American* ~~[University]~~ including *The* ~~[Pan-American]~~ University of Texas at Brownsville;
- (6) Stephen F. Austin State University;
- (7) Texas College of Osteopathic Medicine;
- (8) Texas State University System Administration and the following component institutions:
 - (9) Angelo State University;
 - (10) Sam Houston State University;
 - (11) Southwest Texas State University;
 - (12) Sul Ross State University including Uvalde Study Center;
 - (13) Texas Southern University;
 - (14) Texas Tech University;
 - (15) Texas Tech University Health Sciences Center;
 - (16) Texas Woman's University;
 - (17) University of Houston System Administration and the following component institutions:
 - (18) University of Houston~~—University Park~~;
 - (19) University of Houston—Victoria;
 - (20) University of Houston—Clear Lake;
 - (21) University of Houston—Downtown;

(22) *Texas A&M University—Corpus Christi*; [~~University System of South Texas System Administration and the following component institutions;~~]

(23) *Texas A&M International [Corpus Christi State] University*;

(24) [~~Laredo State University~~;

[(25)] *Texas A&M [A&I] University—Kingsville*; [and]

(25) [(26)] *West Texas A&M [State] University*; and

(26) *Texas State Technical College System and its campuses, but not its extension centers or programs.*

SECTION 3. Article VII, Section 17, of the Texas Constitution is amended by adding Subsection (d-1) to read as follows:

(d-1) Notwithstanding Subsection (d) of this section, the allocation of the annual appropriation to Texas State Technical College System and its campuses may not exceed 2.2 percent of the total appropriation each fiscal year.

SECTION 4. Article VII, Sections 17(e), (f), and (g), of the Texas Constitution are amended to read as follows:

(e) Each governing board authorized to participate in the distribution of money under this section is authorized to expend all money distributed to it for any of the purposes enumerated in Subsection (a). In addition, [~~unless a single bonding agency is designated as hereinafter provided,~~] such governing board may issue bonds and notes for the purposes of refunding bonds or notes issued under this section or prior law, acquiring land either with or without permanent improvements, constructing and equipping buildings or other permanent improvements, *acquiring capital equipment, library books, and library materials, paying for acquiring, constructing, or equipping or for major repair or rehabilitation of buildings, facilities, other permanent improvements, or capital equipment used jointly for educational and general activities and for auxiliary enterprises to the extent of their use for educational and general activities,* and for major repair and rehabilitation of buildings or other permanent improvements, and may pledge up to 50 percent of the money allocated to such governing board pursuant to this section to secure the payment of the principal and interest of such bonds or notes. Proceeds from the issuance of bonds or notes under this subsection shall be maintained in a local depository selected by the governing board issuing the bonds or notes. The bonds and notes issued under this subsection shall be payable solely out of the money appropriated by this section and shall mature serially or otherwise in not more than 10 years from their respective dates. All bonds issued under this section shall be sold only through competitive bidding and are subject to approval by the attorney general. Bonds approved by the attorney general shall be incontestable. The permanent university fund may be invested in the bonds and notes issued under this section. [~~In lieu of the authority granted to each governing board herein, the legislature by general law may designate a single agency to issue bonds and notes authorized under this section and transfer to that agency the authority to collect and pledge money to the payment of such bonds and notes for the purposes, to the extent, and subject to the restrictions of this section. Provided, that such agency shall be authorized to issue such bonds and notes for the benefit of an eligible institution and pledge money collected hereunder only as directed by the governing board of each eligible institution.~~]

(f) The funds appropriated by this section may not be used for the purpose of constructing, equipping, repairing, or rehabilitating buildings or other permanent improvements that are to be used *only* for student housing, intercollegiate athletics, or auxiliary enterprises.

(g) ~~The [Except for that portion of the allocated funds that may be required to be transferred to a single bonding agency, if one is created, the]~~ comptroller of public accounts shall make annual transfers of the funds allocated pursuant to Subsection (d) directly to the governing boards of the eligible institutions.

SECTION 5. The following temporary provision is added to the Texas Constitution:

TEMPORARY PROVISION. (a) *This temporary provision applies to the constitutional amendment proposed by S.J.R. No. 13, 73rd Legislature, Regular Session, 1993, and expires September 2, 1995.*

(b) *Section 2 of the constitutional amendment takes effect September 1, 1995.*

SECTION 6. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 2, 1993. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment relating to the amount and expenditure of certain constitutionally dedicated funding for public institutions of higher education."

Adopted by the Senate on April 15, 1993: Yeas 30, Nays 0; May 25, 1993, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 27, 1993, House granted request of the Senate; May 29, 1993, Senate adopted Conference Committee Report by the following vote: Yeas 31, Nays 0; adopted by the House, with amendments, on May 21, 1993: Yeas 106, Nays 21, one present not voting; May 27, 1993, House granted request of the Senate for appointment of Conference Committee; May 29, 1993, House adopted Conference Committee Report by the following vote: Yeas 113, Nays 19, one present not voting.

Filed with the Secretary of State June 3, 1993.

S.J.R. No. 18

SENATE JOINT RESOLUTION

proposing a constitutional amendment authorizing the legislature to prescribe the qualifications of sheriffs.

Be it resolved by the Legislature of the State of Texas:

SECTION 1. Article V, Section 23, of the Texas Constitution is amended to read as follows:

Sec. 23. There shall be elected by the qualified voters of each county a Sheriff, who shall hold his office for the term of four years, whose duties, *qualifications*, [and] perquisites, and fees of office, shall be prescribed by the Legislature, and vacancies in whose office shall be filled by the Commissioners Court until the next general election.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 2, 1993. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment to allow the legislature to prescribe the qualifications of sheriffs."

Adopted by the Senate on May 3, 1993: Yeas 31, Nays 0; adopted by the House on May 22, 1993: Yeas 128, Nays 1, one present not voting.

Filed with the Secretary of State, May 28, 1993.

S.J.R. No. 19

SENATE JOINT RESOLUTION

proposing a constitutional amendment to modify the provisions for the redemption of real property sold at a tax sale.

Be it resolved by the Legislature of the State of Texas:

SECTION 1. Article VIII, Section 13, of the Texas Constitution is amended to read as follows:

Sec. 13. (a) Provision shall be made by the [first] Legislature for the [speedy] sale[, ~~without the necessity of a suit in Court,~~] of a sufficient portion of all lands and other property for the taxes due thereon ~~that~~ [, and every year thereafter for the sale in like manner of all lands and other property upon which the taxes] have not been paid.

(b) ~~The~~ [, and the] deed of conveyance to the purchaser for all lands and other property thus sold shall be held to vest a good and perfect title in the purchaser thereof, subject *only*